

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALEX J. ALVARADO,

Plaintiff,

Case No. 20-cv-11717
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER (1) DENYING PLAINTIFF’S MOTION FOR SUMMARY
JUDGMENT (ECF No. 8) AND (2) GRANTING DEFENDANT’S MOTION
FOR SUMMARY JUDGMENT (ECF No. 9)**

In this action, Plaintiff Alex J. Alvarado challenges the denial of his applications for disability insurance benefits and supplemental security income under the Social Security Act. (*See* Compl., ECF No. 1.) Alvarado and Defendant Commissioner of Social Security have now filed cross-motions for summary judgment. (*See* Mots., ECF Nos. 8, 9.)

On February 18, 2021, the assigned Magistrate Judge issued a Report and Recommendation in which she recommended that the Court deny Bauer’s motion and grant the Commissioner’s motion (the “R&R”). (*See* R&R, ECF No. 11.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted

to seek review of her recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.*, PageID.1689-1690.)

Alvarado has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Alvarado has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant the Commissioner's Motion for Summary Judgment and deny Alvarado's Motion for Summary Judgment is **ADOPTED**.

IT IS FURTHER ORDERED that (1) Alvarado's Motion for Summary Judgment (ECF No. 8) is **DENIED** and (2) the Commissioner's Motion for Summary Judgment (ECF No. 9) is **GRANTED**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 13, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 13, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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